

Before the
Federal Communications Commission
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Redevelopment of Spectrum to)
Encourage Innovation in the)
Use of New Telecommunications)
Technologies)

ET Docket No. 92-9
RM 8004
RM 7981

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REPLY COMMENTS
OF
NATIONAL SPECTRUM MANAGERS ASSOCIATION
ON THE
FURTHER NOTICE OF PROPOSED RULEMAKING

NATIONAL SPECTRUM MANAGERS ASSOCIATION, INC.

Sambran Sandoval
President

Post Office Box 8378
Denver, CO 80201
303-896-9576

January 27, 1993

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REPLY COMMENTS OF
NATIONAL SPECTRUM MANAGERS ASSOCIATION
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The National Spectrum Managers Association (NSMA) respectfully submits its reply to the comments filed in the above-referenced proceeding on December 11, 1992.

In its comments, NSMA addressed the potential impact of the Commission's proposals in its Further Notice of Proposed Rulemaking (FNPRM) in Docket No. 92-9 on existing and future fixed microwave systems in the bands proposed for reallocation.¹ In addition, NSMA offered proposals designed to smoothly integrate displaced 2 GHz operations into the higher frequency bands in a way that would use the spectrum resource as efficiently and effectively as possible.

NSMA's objective is to make the frequency coordination process more efficient and effective. In its comments NSMA proposed: That the existing channelization plans in the 4, 6 and 11 GHz common carrier bands should be retained in order to minimize intersystem interference, continue the availability of wideband

¹ Further Notice of Proposed Rule Making, Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies (Emerging Technologies), ET Docket 92-9, FCC 92-357, Released September 4, 1992.

channels and effectively accommodate potential narrowband users; That the existing operations in the 4, 6 and 11 GHz common carrier bands, and growth of those systems, using existing channel plans, should be permitted indefinitely; That prior frequency coordination process described in Section 21.100 (d) of the Commission's rules should be made applicable to both Part 21 and Part 94 users in all bands addressed by the FNPRM; That uniform rules controlling the use of Automatic Transmitter Power Control (ATPC) should be adopted for both common carrier and private fixed microwave users; And that the Commission should vigorously apply itself to negotiations with the National Telecommunications Industry Association (NTIA) to make government spectrum in the 1710-1850 MHz band available to users displaced from the 2 GHz bands.

These reply comments address concerns the NSMA has with positions advanced by others pertaining to grandfathering limitations, growth channel protection and interference standards.

Grandfathering Limitations

As stated in NSMA's comments, virtually all of the existing operations would require grandfathering in the 4, 6 and 11 GHz common carrier point-to-point bands if changes are made to the requirements for channelization, bandwidth, or channel pairings. Without this provision in the Rules, a significant economic burden could be imposed on established licensees.

NSMA is concerned with the proposals of Telecommunications Industry Association (TIA) and the Joint Commenters² regarding

² Joint comments of Harris Corporation-Farion Division, Digital Microwave Corporation, and Telesciences, Inc., together the "Joint Commenters"

systems licensed five years after the enactment of these regulations and the requirement to comply with greater spectral efficiency.³ The Joint Commenters have indicated that, "Existing licenses should be exempt (grandfathered) from complying with the new requirements." NSMA agrees with the concept of greater spectral efficiency and grandfathering. However, the TIA has included additional wording which appears to change the entire concept of grandfathering by limiting the duration for existing systems to five years. This would appear to require the replacement of much of the existing digital radio equipment in use by current and new licensees by the end of the five year period. This could result in severe economic hardship to many existing common carrier microwave licensees. Furthermore, if existing systems are required to change frequencies as a result of the TIA and Joint Commenters proposals, it may not be possible to coordinate the new frequency, thus requiring termination of operation.

Growth Channel Protection

As stated in our comments, each phase of the construction and installation of point-to-point microwave paths has a cost associated with it. While the cost associated with radio equipment purchase and installation is sensitive to the number of microwave channels utilized, virtually all of the other costs of new route construction are fixed regardless of the number of channels installed. The justification for this substantial investment is based on projected traffic and revenue which can only be accommodated by expansion of the system. The ability to reserve channels as a part of this process is critical. Accommodation of growth requirements by the existing coordination process has worked well for many years, with virtually all problems resolved by members of the industry, with

³ Joint Commenters pages 18-19 and TIA pages 11-12.

little involvement by the Commission. This proven process should be allowed to continue.

In this regard, NSMA strongly urges the Commission to continue to allow the accepted industry practice whereby authorized carriers provide renewal notifications to other carriers within ten days of the end of a six-month frequency coordination period. The establishment limits for the reservation of growth channels as proposed by Utilities Telecommunications Council and the Joint Commenters is unacceptable.⁴ In order to serve the public interest, common carrier licensees must be able to grow their point-to-point microwave paths and to protect their growth channel plans. Artificial limitations must not be imposed.⁵

Interference Standards

NSMA does not believe that interference standards prescribed in Part 94 should be incorporated carte-blanche into Part 21, and be applied to all users of the 4, 6, and 11 GHz bands as proposed by TIA and the Joint Commenters.⁶ NSMA, however, feels that Part 21 and Part 94 microwave interference standards are coming together, and already has initiated discussions with the TIA to investigate and resolve the many technical issues involved with coordination and frequency sharing requirements. NSMA believes that if the bands are to be truly shared, then one standard should be jointly agreed upon.

Conclusion

⁴ Comments at FN. 14

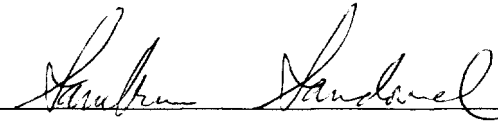
⁵ FN. 13

⁶ TIA page 13 and Joint Commenters page 13-14.

NSMA members have worked together over the years to develop many industry-wide practices for frequency coordination. The cooperative efforts have resulted in procedures which allow the spectrum to be used by a variety of entities in an effective and efficient manner. Building on the individual efforts of TIA and NSMA to effectively manage private and common carrier uses of the spectrum, we feel that the joint committee of these two organizations will be able to establish a single approach to interference criteria calculations and devise approaches which will accommodate sharing of the spectrum.

Respectfully submitted,

NATIONAL SPECTRUM MANAGERS ASSOCIATION, INC.

By: _____

Sambran Sandoval
President

Post Office Box 8378
Denver, CO 80201
303-896-9576

January 27, 1993

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the National Spectrum Managers Association's Reply Comments regarding ET Docket No. 92-9, dated January 27, 1993, has been sent by United States mail, postage prepaid, to the following:



Norma Tebbe

Francine J. Berry, Esq.
American Telephone & Telegraph Co.
295 North Maple Avenue, Room 3244J
Basking Ridge, NJ 07920
Its Attorney

William L. Roughton, Jr.
Bell Atlantic Companies
1710 H Street
Washington, DC 20006

Linda Kent, Associated General Council
United States Telephone Association
900 19th Street, NW, Suite 800
Washington, DC 20006-2105

Edward E. Reinhart, Chairman,
SBCA Technical Committee
Harry W. Thibedeau, SBCA Manager
Industry & Technical Affairs
Satellite Broadcasting & Communications Assn.
225 Reinkers Land, Suite 600
Alexandria, VA 22314

Andrew D. Lipman
Swidler & Berlin
3000 K Street, NW, Suite 300
Washington, DC 20007
Council for Telescience, Inc

William S. Reyner, Jr.
Hogan & Hartson
555 13th Street, NW
Washington, DC 20004
Attorney for
MRC Telecommunications, Inc.

Richard H. Strodel
Haley, Bader & Potts
4350 North Fairfax Drive, Suite 900
Arlington, VA 22203-1633
Counsel for
Western Tele-Communications Inc.

John P. Janka
Latham & Watkins
1001 Pennsylvania Ave. NW,
Suite 1300
Washington, DC 20004
Counsel for
Hughes Communications Galaxy

Thomas J. Keller
 Verner, Liipfert, Bernhard,
 McPherson & Hand, Chartered
 901 15th Street, NW, Suite 700
 Washington, DC 20005
 Counsel for
 Lower Colorado River Authority

Michael J. Morris, Vice President
 SR Telecom, Inc.
 8150 Trans-Canada Highway
 St. Laurent, Quebec
 Canada H4S 1M5

Wayne V. Black
 Christine M. Gill
 Keller and Heckman
 1001 G Street, NW, Suite 500 West
 Washington, DC 20001
 Counsel for
 American Petroleum Institute

Mr. J. Barclay Jones
 Vice President, Engineering
 American Personal Communications
 1025 Connecticut Avenue, NW
 Washington, DC 20036

George Petrutsas
 Barry Lambergman
 Paul J. Feldman
 Fletcher, Heald and Hildreth
 1225 Connecticut Avenue, NW, Suite 400
 Washington, DC 20036
 Council for Harris Corporation-Farion Division
 Digital Microwave Corp

Stuart F. Feldstein
 FLEISCHMAN AND WALSH
 1400 16th Street NW
 Washington, DC 20036
 Counsel for
 Associated PCN Company and
 Associated Communications of LA

Robert J. Miller
 Gardere & Wynne, L.L.P.
 A Registered Limited Liability
 Partnership
 1601 Elm Street, Suite 3000
 Dallas, TX 75201
 Counsel for
 Alcatel Network Systems, Inc.

Jonathan D. Blake
 Kurt A. Wimmer
 Covington & Burling
 1201 Pennsylvania Avenue, NW
 Post Office Box 7566
 Washington, DC 20044
 Counsel for
 American Personal Communications

Thomas J. Keller
 Verner, Lerner, Liipfert, Bernhard,
 McPherson & Hand, Chartered
 901 15th Street, NW, Suite 700
 Washington, DC 20005
 Counsel for
 Association of American Railroads

Christopher R. Hardy
 Comsearch
 11720 Sunrise Valley Drive
 Reston, VA 22091

Alexander P. Humphrey
 GE American Communications, Inc.
 1331 Pennsylvania Avenue, NW
 Washington, DC 20004
 Its Attorney

Benjamin J. Griffin
 Mathew J. Harthun
 Reed Smith Shaw & McClay
 1200 18th Street, NW
 Washington, DC 20036
 Counsel for Home Box Office,
 A Division of Time Warner
 Entertainment Company, L.P.

David R. Mason
 MCI Telecommunications Corp.
 400 International Parkway
 Richardson, TX 75081

Henry L. Baumann, EVP and General Counsel
 Barry D. Umansky, Deputy General Counsel
 John Marino, Manager, Technical Regulatory
 Affairs NAB Science & Technology
 Teresa Inscoe, NAB Legal Intern
 National Association of Broadcasters
 1771 N Street, NW
 Washington, DC 20036

Stephen L. Goodman
 Halprin & Goodman
 Suite 1020, East Tower
 1301 K Street, NW
 Washington, DC 20005
 Counsel for Northern Telecom Inc.

Daniel L. Bart
 GTE Service Corp
 1850 M. Street, NW
 Suite 1200
 Washington, DC 20036
 Its Attorney

Larry A. Blosser
 Donald J. Elardo
 MCI Telecommunications Corp.
 1801 Pennsylvania Avenue, NW
 Washington, DC 20006
 Its Attorneys

Michael D. Kennedy, Director
 Regulatory Relations
 Stuart E. Overby, Manager
 Regulatory Programs
 Motorola, Inc.
 1350 I Street, NW, Suite 400
 Washington, DC 20005

Peter J. Loewenstein, VP
 Distribution
 James McEachern, Director, Dist.
 Operations and Engineering
 Lucille A. Pavco, Assist. Gen.
 Counsel
 Mary Lou Joseph, Representation
 and Member Services Divn.
 Theodore A. Miles, General Counsel
 National Public Radio, Inc.
 2025 M Street, NW
 Washington, DC 20036

John G. Lamb, Jr., Senior Counsel
 Northern Telecom Inc.
 2221 Lakeside Boulevard
 Richardson, TX 75082

Margaret deB. Brown
Pacific Telesis Group
130 Kearny Street, Room 3659
San Francisco, CA 94108
Its Attorney

Eric Schimmel, Vice President
George Kizer, Chairman, Fixed Point to Point
Communications Section
Telecommunications Industry Association
2001 Pennsylvania Avenue, NW, Suite 800
Washington, DC 20006-1813

Jeffery L. Sheldon, General Counsel
Utilities Telecommunications Council
1140 Connecticut Avenue, NW, Suite 1140
Washington, DC 20036

Lucille M. Mates
Pacific Telesis Group
140 New Montgomery St., Rm. 1526
San Francisco, CA 94105
Its Attorney

William Lye, Director
EMI Communications Corp.
5015 Campuswood Drive
East Syracuse, NY 13057